

Conference Engrossed

State of Arizona
Senate
Forty-sixth Legislature
First Regular Session
2003

CHAPTER 255

SENATE BILL 1267

AN ACT

AMENDING SECTIONS 13-703 AND 13-703.01, ARIZONA REVISED STATUTES; AMENDING SECTION 13-703.01, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; REPEALING SECTION 13-4426, ARIZONA REVISED STATUTES; AMENDING TITLE 13, CHAPTER 40, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 13-4426 AND 13-4426.01; RELATING TO CRIMES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-703, Arizona Revised Statutes, is amended to
3 read:

4 13-703. Sentence of death or life imprisonment; aggravating and
5 mitigating circumstances; definition

6 A. ~~A person guilty~~ IF THE STATE HAS FILED A NOTICE OF INTENT TO SEEK
7 THE DEATH PENALTY AND THE DEFENDANT IS CONVICTED of first degree murder as
8 defined in section 13-1105 ~~shall suffer~~, THE DEFENDANT SHALL BE SENTENCED TO
9 death or imprisonment in the custody of the state department of corrections
10 for life or natural life as determined and in accordance with the procedures
11 provided in section 13-703.01. A defendant who is sentenced to natural life
12 is not eligible for commutation, parole, work furlough, work release or
13 release from confinement on any basis. If the defendant is sentenced to
14 life, the defendant shall not be released on any basis until the completion
15 of the service of twenty-five calendar years if the murdered person was
16 fifteen or more years of age and thirty-five years if the murdered person was
17 under fifteen years of age.

18 B. At the aggravation phase of the sentencing proceeding that is held
19 pursuant to section 13-703.01, the admissibility of information relevant to
20 any of the aggravating circumstances set forth in subsection F of this
21 section shall be governed by the rules of evidence applicable to criminal
22 trials. The burden of establishing the existence of any of the aggravating
23 circumstances set forth in subsection F of this section is on the
24 prosecution. The prosecution must prove the existence of the aggravating
25 circumstances beyond a reasonable doubt.

26 C. At the penalty phase of the sentencing proceeding that is held
27 pursuant to section 13-703.01, the prosecution or the defendant may present
28 any information that is relevant to any of the mitigating circumstances
29 included in subsection G of this section, regardless of its admissibility
30 under the rules governing admission of evidence at criminal trials. The
31 burden of establishing the existence of the mitigating circumstances included
32 in subsection G of this section is on the defendant. The defendant must
33 prove the existence of the mitigating circumstances by a preponderance of the
34 evidence. If the trier of fact is a jury, the jurors do not have to agree
35 unanimously that a mitigating circumstance has been proven to exist. Each
36 juror may consider any mitigating circumstance found by that juror in
37 determining the appropriate penalty.

38 D. Evidence that is admitted at the trial and that relates to any
39 aggravating or mitigating circumstances shall be deemed admitted as evidence
40 at a sentencing proceeding if the trier of fact considering that evidence is
41 the same trier of fact that determined the defendant's guilt. The
42 prosecution and the defendant shall be permitted to rebut any information
43 received at the aggravation or penalty phase of the sentencing proceeding and
44 shall be given fair opportunity to present argument as to whether the

1 information is sufficient to establish the existence of any of the
2 circumstances included in subsections F and G of this section.

3 E. In determining whether to impose a sentence of death or life
4 imprisonment, the trier of fact shall take into account the aggravating and
5 mitigating circumstances that have been proven. The trier of fact shall
6 impose a sentence of death if the trier of fact finds one or more of the
7 aggravating circumstances enumerated in subsection F of this section and then
8 determines that there are no mitigating circumstances sufficiently
9 substantial to call for leniency.

10 F. The trier of fact shall consider the following aggravating
11 circumstances IN DETERMINING WHETHER TO IMPOSE A SENTENCE OF DEATH:

12 1. The defendant has been convicted of another offense in the United
13 States for which under Arizona law a sentence of life imprisonment or death
14 was imposable.

15 2. The defendant HAS BEEN OR was previously convicted of a serious
16 offense, whether preparatory or completed. CONVICTIONS FOR SERIOUS OFFENSES
17 COMMITTED ON THE SAME OCCASION AS THE HOMICIDE, OR NOT COMMITTED ON THE SAME
18 OCCASION BUT CONSOLIDATED FOR TRIAL WITH THE HOMICIDE, SHALL BE TREATED AS
19 A SERIOUS OFFENSE UNDER THIS PARAGRAPH.

20 3. In the commission of the offense the defendant knowingly created
21 a grave risk of death to another person or persons in addition to the person
22 murdered during the commission of the offense.

23 4. The defendant procured the commission of the offense by payment,
24 or promise of payment, of anything of pecuniary value.

25 5. The defendant committed the offense as consideration for the
26 receipt, or in expectation of the receipt, of anything of pecuniary value.

27 6. The defendant committed the offense in an especially heinous, cruel
28 or depraved manner.

29 7. The defendant committed the offense while:

30 (a) In the custody of or on authorized or unauthorized release from
31 the state department of corrections, a law enforcement agency or a county or
32 city jail.

33 (b) ON PROBATION FOR A FELONY OFFENSE.

34 8. The defendant has been convicted of one or more other homicides,
35 as defined in section 13-1101, that were committed during the commission of
36 the offense.

37 9. The defendant was an adult at the time the offense was committed
38 or was tried as an adult and the murdered person was under fifteen years of
39 age or was seventy years of age or older.

40 10. The murdered person was an on duty peace officer who was killed in
41 the course of performing the officer's official duties and the defendant
42 knew, or should have known, that the murdered person was a peace officer.

43 G. The trier of fact shall consider as mitigating circumstances any
44 factors proffered by the defendant or the state that are relevant in
45 determining whether to impose a sentence less than death, including any

1 aspect of the defendant's character, propensities or record and any of the
2 circumstances of the offense, including but not limited to the following:

3 1. The defendant's capacity to appreciate the wrongfulness of his
4 conduct or to conform his conduct to the requirements of law was
5 significantly impaired, but not so impaired as to constitute a defense to
6 prosecution.

7 2. The defendant was under unusual and substantial duress, although
8 not such as to constitute a defense to prosecution.

9 3. The defendant was legally accountable for the conduct of another
10 under the provisions of section 13-303, but his participation was relatively
11 minor, although not so minor as to constitute a defense to prosecution.

12 4. The defendant could not reasonably have foreseen that his conduct
13 in the course of the commission of the offense for which the defendant was
14 convicted would cause, or would create a grave risk of causing, death to
15 another person.

16 5. The defendant's age.

17 H. For the purposes of this section, "serious offense" means any of
18 the following offenses if committed in this state or any offense committed
19 outside this state that if committed in this state would constitute one of
20 the following offenses:

21 1. First degree murder.

22 2. Second degree murder.

23 3. Manslaughter.

24 4. Aggravated assault resulting in serious physical injury or
25 committed by the use, threatened use or exhibition of a deadly weapon or
26 dangerous instrument.

27 5. Sexual assault.

28 6. Any dangerous crime against children.

29 7. Arson of an occupied structure.

30 8. Robbery.

31 9. Burglary in the first degree.

32 10. Kidnapping.

33 11. Sexual conduct with a minor under fifteen years of age.

34 Sec. 2. Section 13-703.01, Arizona Revised Statutes, is amended to
35 read:

36 13-703.01. Sentences of death, life imprisonment or natural
37 life; imposition; sentencing proceedings;
38 definitions

39 A. If the state has filed a notice of intent to seek the death penalty
40 and the defendant is convicted of first degree murder, the trier of fact at
41 the sentencing proceeding shall determine whether to impose a sentence of
42 death IN ACCORDANCE WITH THE PROCEDURES PROVIDED IN THIS SECTION. IF THE
43 TRIER OF FACT DETERMINES THAT A SENTENCE OF DEATH IS NOT APPROPRIATE, OR IF
44 the state has not filed a notice of intent to seek the death penalty, and the

1 defendant is convicted of first degree murder, the court shall determine
2 whether to impose a sentence of life or natural life.

3 B. Before trial, the prosecution shall notice one or more of the
4 aggravating circumstances under section 13-703, subsection F.

5 C. If the trier of fact finds the defendant guilty of first degree
6 murder, the trier of fact shall then immediately determine whether one or
7 more alleged aggravating circumstances have been proven. This proceeding is
8 the aggravation phase of the sentencing proceeding.

9 D. If the trier of fact finds that one or more of the alleged
10 aggravating circumstances have been proven, the trier of fact shall then
11 immediately determine whether the death penalty should be imposed. This
12 proceeding is the penalty phase of the sentencing proceeding.

13 E. At the aggravation phase, the trier of fact shall make a special
14 finding on whether each alleged aggravating circumstance has been proven
15 based on the evidence that was presented at the trial or at the aggravation
16 phase. If the trier of fact is a jury, a unanimous verdict is required to
17 find that the aggravating circumstance has been proven. If the trier of fact
18 unanimously finds that an aggravating circumstance has not been proven, the
19 defendant is entitled to a special finding that the aggravating circumstance
20 has not been proven. If the trier of fact unanimously finds no aggravating
21 circumstances, the court shall then determine whether to impose a sentence
22 of life or natural life on the defendant.

23 F. The penalty phase shall be held immediately after the trier of fact
24 finds at the aggravation phase that one or more of the aggravating
25 circumstances under section 13-703, subsection F have been proven. A finding
26 by the trier of fact that any of the remaining aggravating circumstances
27 alleged has not been proven or the inability of the trier of fact to agree
28 on the issue of whether any of the remaining aggravating circumstances
29 alleged has been proven shall not prevent the holding of the penalty phase.

30 G. At the penalty phase, the defendant and the state may present any
31 evidence that is relevant to the determination of whether there is mitigation
32 that is sufficiently substantial to call for leniency. In order for the
33 trier of fact to make this determination, the state may present any evidence
34 that demonstrates that the defendant should not be shown leniency.

35 H. The trier of fact shall determine unanimously whether death is the
36 appropriate sentence. If the trier of fact is a jury and the jury
37 unanimously determines that the death penalty is not appropriate, the court
38 shall determine whether to impose a sentence of life or natural life.

39 I. If the trier of fact at any prior phase of the trial is the same
40 trier of fact at the subsequent phase, any evidence that was presented at any
41 prior phase of the trial shall be deemed admitted as evidence at any
42 subsequent phase of the trial.

43 J. At the aggravation phase, if the trier of fact is a jury, the jury
44 is unable to reach a verdict on any of the alleged aggravating circumstances
45 and the jury has not found that at least one of the alleged aggravating

1 circumstances has been proven, the court shall dismiss the jury and shall
2 impanel a new jury. The new jury shall not retry the issue of the
3 defendant's guilt or the issue regarding any of the aggravating circumstances
4 that the first jury found not proved by unanimous verdict. If the new jury
5 is unable to reach a unanimous verdict, the court shall impose a sentence of
6 life or natural life on the defendant.

7 K. At the penalty phase, if the trier of fact is a jury and the jury
8 is unable to reach a verdict, the court shall dismiss the jury and shall
9 impanel a new jury. The new jury shall not retry the issue of the
10 defendant's guilt or the issue regarding any of the aggravating circumstances
11 that the first jury found by unanimous verdict to be proved or not
12 proved. If the new jury is unable to reach a unanimous verdict, the court
13 shall impose a sentence of life or natural life on the defendant.

14 L. If the jury that rendered a verdict of guilty is not the jury first
15 impaneled for the aggravation phase, the jury impaneled in the aggravation
16 phase shall not retry the issue of the defendant's guilt. If the jury
17 impaneled in the aggravation phase is unable to reach a verdict on any of the
18 alleged aggravating circumstances and the jury has not found that at least
19 one of the alleged aggravating circumstances has been proven, the court shall
20 dismiss the jury and shall impanel a new jury. The new jury shall not retry
21 the issue of the defendant's guilt or the issue regarding any of the
22 aggravating circumstances that the first jury found not proved by unanimous
23 verdict. If the new jury is unable to reach a unanimous verdict, the court
24 shall impose a sentence of life or natural life on the defendant.

25 M. Alternate jurors who are impaneled for the trial in a case in which
26 the offense is punishable by death shall not be excused from the case until
27 the completion of the sentencing proceeding.

28 N. If the sentence of a person who was sentenced to death is
29 overturned, the person shall be resentenced pursuant to this section by a
30 jury that is specifically impaneled for this purpose as if the original
31 sentencing had not occurred.

32 O. In any case that requires sentencing or resentencing in which the
33 defendant has been convicted of an offense that is punishable by death and
34 in which the trier of fact was a judge or a jury that has since been
35 discharged, the defendant shall be sentenced or resentenced pursuant to this
36 section by a jury that is specifically impaneled for this purpose.

37 P. The trier of fact shall make all factual determinations required
38 by this section or the Constitution of the United States or this state to
39 impose a death sentence.

40 Q. IF THE DEATH PENALTY WAS NOT ALLEGED OR WAS ALLEGED BUT NOT
41 IMPOSED, THE COURT SHALL DETERMINE WHETHER TO IMPOSE A SENTENCE OF LIFE OR
42 NATURAL LIFE. IN DETERMINING WHETHER TO IMPOSE A SENTENCE OF LIFE OR NATURAL
43 LIFE, THE COURT:

44 1. MAY CONSIDER ANY EVIDENCE INTRODUCED BEFORE SENTENCING OR AT ANY
45 OTHER SENTENCING PROCEEDING.

2. SHALL CONSIDER THE AGGRAVATING AND MITIGATING CIRCUMSTANCES LISTED IN SECTION 13-702 AND ANY STATEMENT MADE BY A VICTIM.

~~Q.~~ R. Subject to the provisions of section 13-703, subsection B, a victim has the right to be present at the aggravation phase and to present any information that is relevant to the proceeding. A victim has the right to be present and to present information at the penalty phase. At the penalty phase, the victim may present information about the murdered person and the impact of the murder on the victim and other family members and may submit a victim impact statement in any format to the trier of fact.

~~R.~~ S. For the purposes of this section:

1. "Trier of fact" means a jury unless the defendant and the state waive a jury, in which case the trier of fact shall be the court.

2. "Victim" means the murdered person's spouse, parent, child or other lawful representative, except if the spouse, parent, child or other lawful representative is in custody for an offense or is the accused.

Sec. 3. Section 13-703.01, Arizona Revised Statutes, as amended by section 2 of this act, is amended to read:

13-703.01. Sentences of death or life imprisonment; imposition; sentencing proceedings; definitions

A. If the state has filed a notice of intent to seek the death penalty and the defendant is convicted of first degree murder, the trier of fact at the sentencing proceeding shall determine whether to impose a sentence of death in accordance with the procedures provided in this section. If the trier of fact determines that a sentence of death is not appropriate, or if the state has not filed a notice of intent to seek the death penalty, and the defendant is convicted of first degree murder, the court shall determine whether to impose a sentence of life or natural life.

B. Before trial, the prosecution shall notice one or more of the aggravating circumstances under section 13-703, subsection F.

C. If the trier of fact finds the defendant guilty of first degree murder, the trier of fact shall then immediately determine whether one or more alleged aggravating circumstances have been proven. This proceeding is the aggravation phase of the sentencing proceeding.

D. If the trier of fact finds that one or more of the alleged aggravating circumstances have been proven, the trier of fact shall then immediately determine whether the death penalty should be imposed. This proceeding is the penalty phase of the sentencing proceeding.

E. At the aggravation phase, the trier of fact shall make a special finding on whether each alleged aggravating circumstance has been proven based on the evidence that was presented at the trial or at the aggravation phase. If the trier of fact is a jury, a unanimous verdict is required to find that the aggravating circumstance has been proven. If the trier of fact unanimously finds that an aggravating circumstance has not been proven, the defendant is entitled to a special finding that the aggravating circumstance has not been proven. If the trier of fact unanimously finds no aggravating

1 circumstances, the court shall then determine whether to impose a sentence
2 of life or natural life on the defendant.

3 F. The penalty phase shall be held immediately after the trier of fact
4 finds at the aggravation phase that one or more of the aggravating
5 circumstances under section 13-703, subsection F have been proven. A finding
6 by the trier of fact that any of the remaining aggravating circumstances
7 alleged has not been proven or the inability of the trier of fact to agree
8 on the issue of whether any of the remaining aggravating circumstances
9 alleged has been proven shall not prevent the holding of the penalty phase.

10 G. At the penalty phase, the defendant and the state may present any
11 evidence that is relevant to the determination of whether there is mitigation
12 that is sufficiently substantial to call for leniency. In order for the
13 trier of fact to make this determination, the state may present any evidence
14 that demonstrates that the defendant should not be shown leniency.

15 H. The trier of fact shall determine unanimously whether death is the
16 appropriate sentence. If the trier of fact is a jury and the jury
17 unanimously determines that the death penalty is not appropriate, the court
18 shall determine whether to impose a sentence of life or natural life.

19 I. If the trier of fact at any prior phase of the trial is the same
20 trier of fact at the subsequent phase, any evidence that was presented at any
21 prior phase of the trial shall be deemed admitted as evidence at any
22 subsequent phase of the trial.

23 J. At the aggravation phase, if the trier of fact is a jury, the jury
24 is unable to reach a verdict on any of the alleged aggravating circumstances
25 and the jury has not found that at least one of the alleged aggravating
26 circumstances has been proven, the court shall dismiss the jury and shall
27 impanel a new jury. The new jury shall not retry the issue of the
28 defendant's guilt or the issue regarding any of the aggravating circumstances
29 that the first jury found not proved by unanimous verdict. If the new jury
30 is unable to reach a unanimous verdict, the court shall impose a sentence of
31 life or natural life on the defendant.

32 K. At the penalty phase, if the trier of fact is a jury and the jury
33 is unable to reach a verdict, the court shall dismiss the jury and shall
34 impanel a new jury. The new jury shall not retry the issue of the
35 defendant's guilt or the issue regarding any of the aggravating circumstances
36 that the first jury found by unanimous verdict to be proved or not
37 proved. If the new jury is unable to reach a unanimous verdict, the court
38 shall impose a sentence of life or natural life on the defendant.

39 L. If the jury that rendered a verdict of guilty is not the jury first
40 impaneled for the aggravation phase, the jury impaneled in the aggravation
41 phase shall not retry the issue of the defendant's guilt. If the jury
42 impaneled in the aggravation phase is unable to reach a verdict on any of the
43 alleged aggravating circumstances and the jury has not found that at least
44 one of the alleged aggravating circumstances has been proven, the court shall
45 dismiss the jury and shall impanel a new jury. The new jury shall not retry

1 the issue of the defendant's guilt or the issue regarding any of the
2 aggravating circumstances that the first jury found not proved by unanimous
3 verdict. If the new jury is unable to reach a unanimous verdict, the court
4 shall impose a sentence of life or natural life on the defendant.

5 M. Alternate jurors who are impaneled for the trial in a case in which
6 the offense is punishable by death shall not be excused from the case until
7 the completion of the sentencing proceeding.

8 N. If the sentence of a person who was sentenced to death is
9 overturned, the person shall be resentenced pursuant to this section by a
10 jury that is specifically impaneled for this purpose as if the original
11 sentencing had not occurred.

12 O. In any case that requires sentencing or resentencing in which the
13 defendant has been convicted of an offense that is punishable by death and
14 in which the trier of fact was a judge or a jury that has since been
15 discharged, the defendant shall be sentenced or resentenced pursuant to this
16 section by a jury that is specifically impaneled for this purpose.

17 P. The trier of fact shall make all factual determinations required
18 by this section or the Constitution of the United States or this state to
19 impose a death sentence.

20 Q. If the death penalty was not alleged or was alleged but not
21 imposed, the court shall determine whether to impose a sentence of life or
22 natural life. In determining whether to impose a sentence of life or natural
23 life, the court:

24 1. May consider any evidence introduced before sentencing or at any
25 other sentencing proceeding.

26 2. Shall consider the aggravating and mitigating circumstances listed
27 in section 13-702 and any statement made by a victim.

28 R. Subject to the provisions of section 13-703, subsection B, a victim
29 has the right to be present at the aggravation phase and to present any
30 information that is relevant to the proceeding. A victim has the right to
31 be present ~~and to present information at the penalty phase. At the penalty~~
32 ~~phase, the victim may present information about the murdered person and the~~
33 ~~impact of the murder on the victim and other family members and may submit~~
34 ~~a victim impact statement in any format to the trier of fact HAS THE RIGHT~~
35 ~~TO BE HEARD PURSUANT TO SECTION 13-4426.~~

36 S. For the purposes of this section:

37 1. "Trier of fact" means a jury unless the defendant and the state
38 waive a jury, in which case the trier of fact shall be the court.

39 2. "Victim" means the murdered person's spouse, parent, child or other
40 lawful representative, except if the spouse, parent, child or other lawful
41 representative is in custody for an offense or is the accused.

42 Sec. 4. Repeal

43 Section 13-4426, Arizona Revised Statutes, is repealed.

1 Sec. 5. Title 13, chapter 40, Arizona Revised Statutes, is amended by
2 adding a new section 13-4426, to read:

3 13-4426. Sentencing

4 NOTWITHSTANDING ANY OTHER LAW OR RULE, AS AN EXERCISE OF THE VICTIM'S
5 CONSTITUTIONAL RIGHT TO BE HEARD AT SENTENCING, BEFORE THE IMPOSITION OF
6 SENTENCE THE VICTIM IN ANY CASE MAY ADDRESS THE SENTENCING AUTHORITY AND
7 PRESENT ANY INFORMATION OR OPINIONS THAT CONCERN THE VICTIM OR THE VICTIM'S
8 FAMILY, INCLUDING THE IMPACT OF THE CRIME ON THE VICTIM, THE HARM CAUSED BY
9 THE CRIME, THE CRIMINAL OFFENSE, THE DEFENDANT, THE NEED FOR RESTITUTION OR
10 THE SENTENCE TO BE IMPOSED AT EVERY SENTENCING OR DISPOSITION PROCEEDING.

11 Sec. 6. Title 13, chapter 40, Arizona Revised Statutes, is amended by
12 adding section 13-4426.01, to read:

13 13-4426.01. Sentencing; victims' right to be heard

14 IN ANY PROCEEDING IN WHICH THE VICTIM HAS THE RIGHT TO BE HEARD
15 PURSUANT TO ARTICLE II, SECTION 2.1, CONSTITUTION OF ARIZONA, OR THIS
16 CHAPTER, THE VICTIM'S RIGHT TO BE HEARD IS EXERCISED NOT AS A WITNESS, THE
17 VICTIM'S STATEMENT IS NOT SUBJECT TO DISCLOSURE TO THE STATE OR THE DEFENDANT
18 OR SUBMISSION TO THE COURT AND THE VICTIM IS NOT SUBJECT TO
19 CROSS-EXAMINATION. THE STATE AND THE DEFENSE SHALL BE AFFORDED THE
20 OPPORTUNITY TO EXPLAIN, SUPPORT OR DENY THE VICTIM'S STATEMENT.

21 Sec. 7. Intent

22 A. The Legislature reaffirms its action in Laws 2002, fifth special
23 session, chapter 1, in which the Legislature eliminated the statutory
24 prohibition on considering a victim's sentencing recommendation in a capital
25 case. The Legislature reaffirms that, under the Constitution and statutes
26 of Arizona, victims in capital cases have the right to make recommendations
27 regarding the appropriate sentence, in the same manner as defendants, and
28 that the only thing that stands in the way of exercising this right is the
29 lack of a decision by the Arizona supreme court or the supreme court of the
30 United States affirming this right.

31 B. The Legislature enacts sections 3, 4 and 5 of this act pursuant to
32 its authority as prescribed by article II, section 2.1, subsection A,
33 paragraph 11 and subsection D, Constitution of Arizona.

34 Sec. 8. Conditional enactment

35 A. The following do not become effective unless on or before June 30,
36 2013 the Arizona supreme court or the supreme court of the United States
37 rules that it is constitutional for a crime victim in a capital case to make
38 a sentencing recommendation:

39 1. Section 13-703.01, Arizona Revised Statutes, as amended by section
40 3 of this act.

41 2. Section 4 of this act.

42 3. Section 13-4426, Arizona Revised Statutes, as added by this act.

43 B. The attorney general shall notify in writing the director of the
44 Arizona legislative council of the date on which the condition is met or if
45 the condition is not met.

~~APPROVED BY THE GOVERNOR MAY 26, 2003.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 27, 2003.~~

Passed the House May 1, 2003,

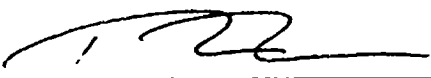

by the following vote: 56 Ayes,

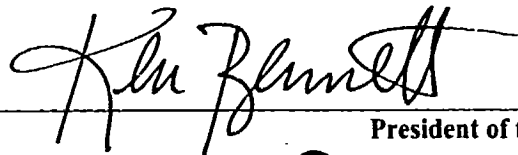
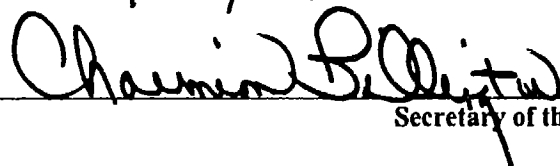
0 Nays, 4 Not Voting

Passed the Senate March 12, 2003,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting


Speaker of the House
Pro Tempore

Chief Clerk of the House


President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this
_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

S.B. 1267

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 19, 2003,

by the following vote: 48 Ayes,

7 Nays, 5 Not Voting

Jake Flake
Speaker of the House

Norman L. Moore
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate May 15, 2003,

by the following vote: 27 Ayes,

0 Nays, 3 Not Voting

Klu Plunett
President of the Senate

Charmine Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 20 day of May, 2003,

at 12:30 o'clock P M.

London Gray
Secretary to the Governor

Approved this 26 day of

May, 2003,

at 11⁰⁵ o'clock A. M.

J. A. Napolitano
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 27 day of May, 2003,

at 2:20 o'clock P. M.

Janice L. Brewer
Secretary of State

S.B. 1267